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FILED

2019 FEB -4 AM 9:25

AMY J HUNLEY
CLERK OF SUPERIOR COURT
BY MEED
DEPUTY

8 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
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10 IN AND FOR THE COUNTY OF COCHISE
11

12 STATE OF ARIZONA

13 Plaintiff,

14 vs.

15 DINKO BLASKOVIC

16 Defendant.

) Case No. CR201900065

) DIVISION V

) **RESPONSE TO MOTION TO**
) **RECONSIDER RELEASE**
) **CONDITIONS**

17 The State of Arizona, through the Cochise County Attorney, Brian M. McIntyre, Cochise
18 County Attorney, and Jason Lindstrom, his Deputy, hereby responds to the Defendant's Motion
19 to Reconsider Release Conditions.

20 Pursuant to Rule 7.2(a)(2), a defendant shall not be released on his own recognizance if
21 the court makes a determination that such a release will not assure his appearance or protect the
22 victim, any other person, or community from risk of harm.

23 In this case, the Defendant is a significant flight risk. If convicted on even one count,
24 there is a significant probability that the Defendant will go to prison, and possibly for a very long
25 time. The Defendant is nearly 70 years old, and time in prison at this age presents a significant
26 motivation to flee. In addition, the Defendant is a truck driver and has no known significant ties
27 to Cochise County. There is no assurance that the Defendant will return to court if released or if
28 the bond is reduced. Aside from the Defendant posing a significant flight risk, releasing the
Defendant would not protect the public from the risk of harm. The facts

Because the conditions of an Own Recognizance release are not sufficient to secure the



1 Defendant's appearance and protect others from the risk of harm, the Court must consider the
2 factors listed in A.R.S. § 13-3967(B) to determine appropriate release conditions:

3 1) Views of the victim: The victims oppose release and reduced bond.

4 2) The nature and circumstances of the offenses charged: The Defendant is charged with
5 manslaughter and negligent homicide, in addition to other offenses. These offenses are extremely
6 serious allegations.

7 3) Whether the accused has a prior arrest or conviction for a serious offense or violent or
8 aggravated felony as defined in section 13-706 or an offense in another state that would be a
9 serious offense or violent or aggravated felony as defined in section 13-706 if committed in this
10 state: N/A

11 4) Evidence that the accused poses a danger to the community: The nature of the charges
12 themselves indicates that the Defendant is a danger to the community.

13 5) The risk of a lethality assessment in a domestic violence charge: N/A

14 6) The weight of the evidence against the accused: The State's case is supported by the
15 testimony of three eye witnesses.

16 7) The accused's family ties, employment, financial resources, character and mental
17 condition: The State is unaware of any ties to Cochise County.

18 8) The results of any drug test submitted to the court: N/A

19 9) Whether the accused is using any substance if its possession or use is illegal pursuant
20 to chapter 34: N/A

21 10) Whether the accused violated section 13-3407, subsection A, paragraph 2, 3, 4 or 7
22 involving methamphetamine or section 13-3407.01: N/A

23 11) Length of residence in the community: The Defendant is not a resident of this
24 community.

25 12) The accused's record of arrests and convictions:

26 13) The accused's record of appearance at court proceedings or of flight to avoid
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prosecution or failure to appear at court proceedings:

14) Whether the accused has entered or remained in the United States illegally: n/a.

15) Whether the accused's residence is in this state, in another state or outside the United States: The Defendant resides outside of Arizona.

The above factors do not justify a change in release conditions.

RESPECTFULLY SUBMITTED this 4th day of February, 2019.

COCHISE COUNTY ATTORNEY

By:


JASON LINDSTROM
Deputy County Attorney

Copy of the foregoing
mailed/delivered/faxed
this 4th day of February, 2019,
to:

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